

Adelaide Maudsley (#8791)
James K. Tracy (#6668)
CHAPMAN AND CUTLER LLP
201 South Main Street, Suite 2000
Salt Lake City, UT 84111
Telephone: 801-533-0066
Facsimile: 801-533-9595
Email: maudsley@chapman.com
jtracy@chapman.com

Local Counsel for
BayNorth Realty Fund VI, LP

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:

EASY STREET HOLDING, LLC, *et al.*,

Debtors.

Address: 201 Heber Avenue
Park City, UT 84060

Tax ID Numbers:
35-2183713 (Easy Street Holding, LLC),
20-4502979 (Easy Street Partners, LLC), and
84-1685764 (Easy Street Mezzanine, LLC)

Bankruptcy Case No. 09-29905
Jointly Administered with
Cases 09-29907 and 09-29908

Chapter 11

Honorable R. Kimball Mosier

[FILED ELECTRONICALLY]

***EX PARTE* MOTION FOR COUNSEL TO APPEAR
TELEPHONICALLY AT HEARING ON OCTOBER 13, 2009**

BayNorth Realty Fund VI, LP (“BayNorth”) moves (the “Motion”) the Court *ex parte* for an order authorizing Brian W. Harvey of Goodwin Procter LLP, counsel for BayNorth, to appear telephonically at the hearing set for October 13, 2009 at 11:00 a.m. Mountain Time in the Easy

Street Holding, LLC jointly-administered chapter 11 cases. In support of this Motion, BayNorth respectfully states as follows:

1. On September 14, 2009, Easy Street Holding, LLC; Easy Street Partners, LLC; and Easy Street Mezzanine, LLC (collectively, the “Debtors”) filed voluntary chapter 11 petitions in this Court.

2. The initial hearing on the Debtors’ request to use cash collateral took place on September 16, 2009. The final hearing on the Debtors’ request to use cash collateral is set forth October 13, 2009 at 11:00 a.m.

3. Mr. Harvey serves as lead counsel for BayNorth. Mr. Harvey’s appearance at the hearing is necessary as his firm is national counsel for BayNorth, and he is familiar with the facts and circumstances of this matter and the relationship between BayNorth and the Debtors. Mr. Harvey has also had some involvement in the negotiations associated with the cash collateral use arrangement between the Debtors and WestLB. BayNorth anticipates that the final hearing on the Debtors’ request to use cash collateral may not be contested but may proceed on a consensual basis. As required by applicable local rule, local counsel intends to be present at the hearing.

4. Mr. Harvey is resident in Goodwin Procter LLP’s New York office. The direct telephonic contact information for Mr. Harvey is provided below. Alternatively, if the Court prefers, counsel for BayNorth will arrange a dial-in number for counsel to participate telephonically.

Brian W. Harvey
Goodwin Procter LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
Telephone: (212) 813-8829
Facsimile: (212) 355-3333
bharvey@goodwinprocter.com

5. A proposed form of Order authorizing the telephonic appearance of Mr. Harvey is submitted contemporaneously herewith.

WHEREFORE, BayNorth respectfully requests entry of an Order granting the relief requested herein, mainly that Mr. Harvey be permitted to appear telephonically at the hearing on October 13, 2009 at 11:00 a.m. MT, and granting such other and further relief as the Court deems just and proper.

DATED this 8th day of October 2009.

CHAPMAN AND CUTLER LLP

By: _____/s/ Adelaide Maudsley_____
Adelaide Maudsley (#8791)
James K. Tracy (#6668)
201 South Main Street, Suite 2000
Salt Lake City, UT 84111
Telephone: 801-533-0066
Facsimile: 801-533-9595
Email: maudsley@chapman.com

Local Counsel for
BayNorth Realty Fund VI, LP

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **EX PARTE MOTION FOR COUNSEL TO APPEAR TELEPHONICALLY AT HEARING ON OCTOBER 13, 2009** was served on this 8th day of October, 2009 in the manner indicated below on each of the following:

Kenneth L. Cannon II
Steven J. McCardell
Durham Jones & Pinegar, P.C.
111 East Broadway, Suite 900
P.O.Box 4050
Salt Lake City, UT 84110
(by CM/ECF)

Annette W. Jarvis
Steven C. Strong
Benjamin J. Kotter
Dorsey & Whitney, LLP
136 South Main Street, Suite 1000
Salt Lake City, UT 84101
(by CM/ECF)

Office of the United States Trustee
405 South Main Street #300
Salt Lake City, UT 84111
(by CM/ECF)

Jeffrey W. Shields
Lon Jenkins
Troy J. Aramburu
Jones Waldo Holbrook & McDough, PC
170 South Main Street, Suite 1500
Salt Lake City, UT 84101
(by CM/ECF)

Jeffrey L. Shields
Zachary T. Shields
Callister Nebeker & McCullough
Zions Bank Building Suite 900
10 East South Temple
Salt Lake City, UT 84133
(by CM/ECF)

Anthony C. Kaye
Ballard Spahr LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
(by CM/ECF)

Michael R. Johnson
Jonathan A. Dibble
Ray Quinney & Nebeker P.C.
36 South State Street, 14th Floor
P.O. Box 45385
Salt Lake City, UT 84145-0385
(by CM/ECF)

____/s/ Adelaide Maudsley_____